



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Automated Power Systems, Inc.

File: B-261098

Date: April 25, 1995

DECISION

Automated Power Systems, Inc. protests invitation for bids (IFB) No. DTICG36-94-B5B162, issued by the United States Coast Guard, Department of Transportation.


We dismiss the protest because it does not establish a basis for challenging the agency's action.

The jurisdiction of our Office is established by the bid protest provisions of the competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Management Servs., Inc.--Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299. To achieve this end, our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds of a protest, 4 C.F.R. § 21.1(c)(4) (1995), and that the grounds stated be legally sufficient, 4 C.F.R. 21.1(e). These requirements contemplate that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood that the protester will prevail in its claim of improper agency action. Robert Wall Edge--Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335.

Here, the IFB was canceled, but the protester does not allege that the cancellation was improper, nor even state any factual or legal grounds suggesting improper agency action. Rather, the protest presents yet another installment of the protester's episodal attempts to gather documents assertedly related to protests which are either long dead or yet to be conceived. Our Bid Protest Regulations are not a substitute for other laws and

regulations which provide public access to government documents, and we shall not entertain attempts to use the protest process in this manner.

The protest is dismissed.


James A. Spangenberg
Assistant General Counsel